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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,118	08/23/2001	Gene Karl Sendelweck	RCA 89226	9587

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EXAMINER

TRAN, TRANG U

ART UNIT PAPER NUMBER

2614

DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/914,118

Applicant(s)

SENDELWECK, GENE KARL

Examiner

Trang U. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Anderson (US Patent No. 5,072,300).

In considering claim 1, Anderson discloses all the claimed subject matter, note 1) the claimed a variable conduction device having a first input responsive to a scanning velocity modulation deflection signal, and a second input responsive to a control signal is met by the differential limiting amplifier 32 which includes the current source transistor 65 (Figs. 1 and 3, col. 4, lines 19-68 and col. 5, line 48 to col. 7, line 39), 2) the claimed in a first condition said device providing a feedback path for controlling said scanning velocity modulation deflection signal in magnitude is met by the base electrode of current source transistor 65 is coupled to the collector electrode of a control transistor 118, for controlling the current through limiting amplifier 32 (Figs. 1 and 3, col. 4, lines 19-68 and col. 5, line 48 to col. 6, line 4), and 3) the claimed in a second condition said device interrupting said feedback path and inhibiting generation of said scanning velocity modulation deflection signal is met by the base electrode of current source transistor 65 is coupled to the collector electrode of transistor 136 via resistor 135 and any given one of blanking pulses 40a will switch on transistor 136 for the duration of that

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pulse, rapidly discharging capacitor 137, diverting base current from transistor 65 which made the current source for differential amplifier 32 is turned off or substantially reduced in magnitude (Figs. 1 and 3, col. 6, line 5 to col. 7, line 39).

In considering claim 2, the claimed wherein during said first condition said variable conduction device varies conduction in accordance with said magnitude of said scanning velocity modulating deflection signal is met by the base electrode of current source transistor 65 is coupled to the collector electrode of a control transistor 118, for controlling the current through limiting amplifier 32 and this control varies the peak-to-peak output signal of the limiter (Figs. 1 and 3, col. 4, lines 19-68 and col. 5, line 48 to col. 6, line 4).

In considering claim 3, the claimed wherein said variable conduction device varies conduction to variably attenuate a scanning velocity modulating signal in accordance with said scanning velocity modulating deflection signal magnitude is met by the base electrode of current source transistor 65 is coupled to the collector electrode of a control transistor 118, for controlling the current through limiting amplifier 32 and this control varies the peak-to-peak output signal of the limiter (Figs. 1 and 3, col. 4, lines 19-68 and col. 5, line 48 to col. 6, line 4).

In considering claim 6, the claimed wherein said second condition conduction in said variable conduction device is unresponsive to said scanning velocity modulating deflection signal is met by the base electrode of current source transistor 65 is coupled to the collector electrode of transistor 136 via resistor 135 and any given one of blanking pulses 40a will switch on transistor 136 for the duration of that pulse, rapidly discharging

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capacitor 137, diverting base current from transistor 65 which made the current source for differential amplifier 32 is turned off or substantially reduced in magnitude (Figs. 1 and 3, col. 6, line 5 to col. 7, line 39).

In considering claim 7, the claimed wherein said variable conduction device is a transistor is met by the current source transistor 65 (Figs. 1 and 3, col. 4, lines 19-68 and col. 5, line 48 to col. 7, line 39).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson (US Patent No. 5,072,300).

In considering claim 4, Anderson discloses all the limitations of the instant invention as discussed in claim 1 above, except for providing the claimed wherein during said second condition said variable conduction device is fully conductive responsive to said control signal for inhibiting said scanning velocity modulation deflection signal. The capability of using the fully conductive of said variable conduction device during said second condition is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the old and well known fully conductive of said

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variable conduction device during said second condition into Anderson's system since it merely selecting available components.

In considering claim 5, Anderson discloses all the limitations of the instant invention as discussed in claim 1 above, except for providing the claimed wherein during said second condition said variable conduction device is fully conductive, attenuating a scanning velocity modulating signal and inhibiting generation of said scanning velocity modulation deflection signal. The capability of using the fully conductive of said variable conduction device during said second condition is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the old and well known fully conductive of said variable conduction device during said second condition into Anderson's system since it merely selecting available components.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Allender et al. (US Patent No. 6,340,995 B1) disclose emission control with scanning beam velocity modulation.

Miller (US Patent No. 6,493,040 B1) discloses scan velocity modulation circuit with multi-mode operation.

Altmanshofer (US Patent No. 5,196,941) discloses beam scan velocity modulation apparatus.

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Washino (US Patent No. 5,351,094) discloses television receiver with scan velocity modulator being adjusted according to aspect ratio.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Trang U. Tran** whose telephone number is **(703) 305-0090**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W. Miller**, can be reached at **(703) 305-4795**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9306 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(703) 308-HELP**.

TT TT  
January 5, 2004

  
**MICHAEL H. LEE**  
**PRIMARY EXAMINER**